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## As I Lay Writing: How to Write Law Review Articles for Fun and Profit: A Law-and-Economics, Critical, Hermeneutical, Policy Approach and Lots of Other Stuff That Thousands of Readers Will Find Really Interesting and Therefore You Ought to Publish in Your Prestigious, Top-Ten, Totally Excellent Law Review

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# As I Lay Writing: How to Write Law Review Articles for Fun and Profit:

A Law-and-Economics, Critical, Hermeneutical, Policy Approach and Lots of  
Other Stuff That Thousands of Readers Will Find Really Interesting and  
Therefore You Ought to Publish in Your Prestigious,  
Top-Ten, Totally Excellent<sup>1</sup> Law Review:

[this space reserved]:

C. Steven Bradford<sup>2</sup>

[W]hile nature seems wisely to have provided that the stupidities of men should be transient, books immortalize them. A fool should be content with boring everyone who has lived with him, but he further undertakes to torment future generations. He wants his folly to triumph over the oblivion which he should welcome like the sleep of the tomb; he wants to inform posterity that he has lived, and to have it forever remembered that he was a fool.

—Charles de Montesquieu<sup>3</sup>

1. I want to thank Mary Fischer, University of Nebraska College of Law Class of 1995, for her totally excellent research assistance. She is, of course, completely to blame for anything objectionable in this article.
2. This is normally where I get to tell you everything about myself, like where I went to school, when I graduated, and where I teach. However, the dean at the law school I attended has asked that I no longer identify it, I no longer care to disclose the year I graduated, and the dean at the school where I teach has just decided that the dean at my alma mater has a good idea. Therefore, I'll tell you some personal things about me; this seems to be accepted practice in current legal "scholarship."

I was born in Waxahachie, Texas, home of the late Phil Gramm Super Congressional Pork (also known as the Super Collider). My favorite hobby is crawling around in caves and my greatest nonhuman love is jalapeño peppers. [If you can't find anything Freudian in that last sentence, you're a rank amateur.]

This is also the footnote where I'm supposed to acknowledge all those who read and commented on earlier drafts of my article. As will become obvious, this is the first draft, so there were no earlier drafts on which to comment. If I have to acknowledge anyone, I'd like to pay tribute to my high school track coach, John Freeman. He taught me that running in circles going nowhere could be fun, which led me to law school.

Finally, I'd like to acknowledge all that my wife and kids, who prefer to remain anonymous, have contributed to my life.

3. Persian Letters, trans. George R. Healy, 110 (Indianapolis, 1964) (1721) (Letter LXVI). For those of you with aristocratic leanings, that's Charles-Louis de Secondat, Baron de la Brède et de Montesquieu.

## I. Introduction

You've made it onto a law faculty, and you're wondering what to do. Teaching obviously isn't going to occupy much of your time. You prepare your notes the first year, and you're home free.<sup>4</sup> To fill the gap in your life, why not publish something in a law review?

Publishing an article in a law review is an honor and a privilege. "[L]aw reviews hold a special place of trust and importance in the legal system and in society";<sup>5</sup> they "play a vital role in the preservation of society."<sup>6</sup> Most important, they make it much easier for a law professor to get tenure. Martin Luther succeeded by posting on doors,<sup>7</sup> but law school tenure committees have higher standards. One must publish and, unless one is the rare law professor capable of writing something worthy of publication, one must rely on the existence of law reviews.

This article is designed to help you fulfill your scholarly duties.<sup>8</sup> In the few pages<sup>9</sup> that follow, I am going to tell you everything you need to know about law review<sup>10</sup> writing: how to write articles, how to submit articles for publication, how to deal with law reviews, and what to do with your articles after they are published. Right now, you might be writing 98-pound-weakling articles, but when you're finished with this article, you'll be the biggest, baddest<sup>11</sup> legal writer on your block.<sup>12</sup>

## II. Writing the Article

An important part of publishing a law review article, although certainly not the most important part, is writing it.<sup>13</sup> I do not intend to tell you in great

4. Certain members of my state's legislature have expressed concern about professors' workloads and the amount of time we devote to teaching. Lest the comment in the text contribute to that concern, I must point out that I'm joking. The average law professor devotes every bit as much time to teaching as the average legislator devotes to public service.
5. How do we know that? Because the law review editors told us so. See National Conference of Law Reviews Model Code of Ethics, 75 Marq. L. Rev. 511, 512 (1992).
6. Again, this is according to the law review editors. *Id.* One wonders how society was preserved in the millennia prior to the introduction of law reviews. Probably roots and berries.
7. Martin Luther had a serious scholarship deficiency that those evaluating his candidacy for major religious leader should have considered.
8. Why else would the only coherent part of its title be "How to Write Law Review Articles"?
9. As you read on, you will undoubtedly wish they were fewer.
10. For the tax lawyers and other definitional fetishists among you:  
 "Law review" denotes a law-related publication, edited either by law students, law faculty, or both, which is sponsored or supported at least in part by a law school, which appears at least once each calendar year in a permanent form, and which . . . has as its main mission the scholarly presentation of legal issues, ideas, or developments on one or more subjects.  
 National Conference of Law Reviews Model Code of Ethics, *supra* note 5, at 513. Doesn't that make you feel better?
11. To my friends in Provo: The word *bad* is not used in its normal dictionary meaning, but as big-city slang for "excellent."
12. Provided that no one else on your block can write.
13. It is difficult to get a major law review to accept blank sheets of paper for publication. It is not, however, impossible. See, for example, my recent short article: C. Steven Bradford, [untitled], 90 Colum. L. Rev. 838 (1990).

detail how to write.<sup>14</sup> I am merely going to offer some helpful tips to make your writing more successful and more likely to be published in prestigious law reviews.

### A. Picking a Topic

One of your most important decisions will be picking a topic for your article.<sup>15</sup> The topic you choose must meet three critical law review rules.

#### 1. Importance

Not just any important legal issue will do. In fact, no important legal issue will do. Law reviews frown upon importance. If law reviews discussed important issues, people would start reading them and the editors would come under closer scrutiny.

#### 2. Topicality

The topic must be topical,<sup>16</sup> which to law reviews means a subject that the legal world was interested in three or four years ago but has long since forgotten. It helps if several other law professors have recently written about the subject; then, the law review editors are sure to recognize that it's<sup>17</sup> topical.

#### 3. Originality

The topic must be original. This requirement makes it very difficult to find a good topic, for two reasons. First, most law review editors will recognize an issue as topical only if several other people have recently written about it.<sup>18</sup> Second, from the beginning<sup>19</sup> authors have written about the law and the legal system. When you add those contributions to the 20,000 new articles that living lawyers and law professors produce each year, there isn't much original left.

You can make your article original in three ways. First, even if you deal with a subject that isn't new, you can produce an original conclusion. For example, if every scholar in history has concluded that  $6 \times 9 = 54$ , you can write an article

14. I took an experimental legal writing class at Harvard from Steven Stark. Shortly after teaching my class, he wrote a piece entitled *Why Lawyers Can't Write*, 97 Harv. L. Rev. 1389 (1984). *Res ipsa loquitur*.

15. On the scale of importance in life, picking the topic for a law review article is right up there with whether your socks should match your pants or your shirt.

16. I have never understood how a topic could not be topical. It must relate back to the time I fell asleep in Mrs. Edwards' eighth-grade English class.

17. If you had a good legal writing instructor, you were told that contractions are unacceptable in formal professional writing, such as law review articles. So did you believe everything you heard in law school?

18. "When people are free to do as they please, they usually imitate each other." Eric Hoffer, *quoted in* The Portable Curmudgeon, ed. Jon Winokur, 102 (New York, 1987).

19. See Moses, Genesis, *reprinted in* God, The Bible (circa the Creation). [To the editors: I realize that these cites aren't consistent with the latest Bluebook style, but I can't find the first names of either of the two listed authors. A friend has told me that Moses' first name was Edwin, but verifying that has been an insurmountable hurdle.]

concluding that  $6 \times 9 = 42$ .<sup>20</sup> Even though you're covering a subject that has already been dealt with, you will impress the law review editors because you're challenging established tradition in an outrageous, counterfactual way.<sup>21</sup> Unfortunately, the prolific critical legal studies and radical feminist scholars already have used most of the outrageous, counterfactual conclusions that abuse all concepts of rationality.<sup>22</sup>

The second strategy to produce originality is to write about newly emerging technology or social conditions. The problem with this strategy is that it's very hard to keep up with newly emerging technology; it requires difficult study and technological competence, not something your typical political-science-major-turned-law-professor is likely to find attractive. And let's face it: there really are no new social conditions.<sup>23</sup>

The only remaining strategy to produce originality is to find a subject so marginal that no one ever thought to write about it before,<sup>24</sup> such as "Social and Legal Controls on Aardvarks Migrating to Ecuador on the Backs of Protected Sea Turtles"<sup>25</sup> or "Convertible Securities and Bisexuality: The Parallels."<sup>26</sup>

20. In which case you would have a bestseller. See Douglas Adams, *The Restaurant at the End of the Universe* 210–14 (New York, 1980).

21. Nothing is so intriguing to the academically minded as the obviously wrong. Dan Farber sees this as an application of Gresham's Law:

[A]rticles defending the legal status quo are much less likely to be published than articles attacking the status quo. The more sensible a legal rule, the less will be published supporting it, while articles cleverly attacking it often will be taken as brilliant insights. Thus, the law review literature will be dominated by articles taking silly positions, while the sensible positions held by most law professors usually will be underrepresented.

Daniel A. Farber, *Gresham's Law of Legal Scholarship*, 3 *Const. Commentary* 307, 309 (1986). Farber, a law professor himself, is biased. The truth is that most law professors take silly positions.

22. "There never was a Cause yet, right or wrong, that ever wanted an Advocate to defend it." Anonymous, *Characters and Observations: An 18th Century Manuscript* 48 (New York, 1930).

23. If today's yuppie government officials really hadn't inhaled at Oxford, they'd realize that substance abuse, widespread disease, ethnic fighting, and moral breakdown are problems that existed long before Chelsea was even one of the many glints in Bill Clinton's eyes.

24. John Nowak wrote:

One of my favorite persons in the profession (a famous scholar whom I will not identify for fear of betraying his realist tendencies) described to me how to become a successful professor with a national reputation when I was a fledgling professor. He said: "Take an obscure little problem that no one has thought much about, blow it out of all proportion, and solve it, preferably several times, in prestigious law reviews."

John E. Nowak, *Woe Unto You, Law Reviews!* 27 *Ariz. L. Rev.* 317, 320 (1985).

25. See Symposium on Salmon Law, 16 *Envtl. L.* 343–773 (1986); see also Erik M. Jensen, *A Call for a New Buffalo Law Scholarship*, 38 *U. Kan. L. Rev.* 433 (1990); James L. Huffman, *Chicken Law in an Eggshell: Part III—A Dissenting Note*, 16 *Envtl. L.* 761 (1986).

26. Or "As I Lay Writing: How to Write Law Review Articles for Fun and Profit: A Law-and-Economics, Critical, Hermeneutical, Policy Approach and Lots of Other Stuff That Thousands of Readers Will Find Really Interesting and Therefore You Ought to Publish in Your Prestigious, Top-Ten, Totally Excellent Law Review: [this space reserved]:."

## B. Choosing a Title

Choosing the title for your article is almost as important as writing the article itself. The title is the one part of the law review article that is allowed to be interesting.<sup>27</sup> And, more important, the title is the only part of the article your tenure committee will read. If the title's good, you've got it made.

Several things go into a good title. First, you want to think about how your article will be cited. For example, if your article is about the solid waste problem, "Garbage and What to Do with It" seems to be perfectly acceptable at first blush. However, people citing law review articles often shorten titles in subsequent citations. You could find yourself being cited as "Bradford, *Garbage*."<sup>28</sup>

Another requirement for a good title is at least one colon. Multiple colons are even better.<sup>29</sup> Colons indicate to the reader that you are capable of having more than one thought—an important message that the reader probably would not obtain from reading your article.

A literary allusion is also helpful.<sup>30</sup> I struggled with this when I began writing; I found it difficult to produce a literary allusion because I had never read anything other than comic books.<sup>31</sup> I eventually realized that the best allusions are those that nobody recognizes: an unrecognizable allusion convinces the reader that you must be really smart. Now I just make up my allusions, and everyone who reads my titles thinks I'm smart.<sup>32</sup> If you aren't creative enough to come up with your own allusion, one that has been popular over the years is "Between Scylla and Charybdis."<sup>33</sup> I'm not sure what this means; I think it's a vague sexual reference.<sup>34</sup>

A pun or catchy use of words also doesn't hurt. You need something that sounds really exciting, like "Wrestling the Giant Squid"<sup>35</sup> or "Riding the

27. Not coincidentally, the title is the part of the law review article that is most often read.

28. Some people cite me this way even when the word *garbage* does not appear in my title.

29. See the title to this article. This title overdoes it a bit; it needs colon surgery.

30. No, this does not mean making the article disappear. That's *illusion*.

31. And "Robin, to the batpoles" just didn't seem to add much to a title. But see Michael Todd Helfand, When Mickey Mouse Is as Strong as Superman: The Convergence of Intellectual Property Laws to Protect Fictional Literary and Pictorial Characters, 44 Stan. L. Rev. 623 (1992).

32. Until they start reading the text.

33. See, e.g., David R. Everett, The Hazy Future: Are State Attempts to Reduce Visibility Impairment in Class I Areas Caught Between Scylla and Charybdis? The Effects of the Clean Air Act Amendments of 1990 on Visibility Protection, 8 Pace Envtl. L. Rev. 115 (1990); Michael L. Burke, Between Scylla and Charybdis: *United Services Automobile Association v. Morris*, 154 Ariz. 113, 741 P.2d 246 (1987), and Reservation of Rights Defenses, 22 Ariz. St. L.J. 527 (1990); David P. T. Price, Between Scylla and Charybdis: Charting a Course to Reconcile the Duty of Confidentiality and the Duty to Warn in the AIDS Context, 94 Dick. L. Rev. 435 (1990); John C. Coffee, Jr., Litigation and Corporate Governance: An Essay on Steering Between Scylla and Charybdis, 52 Geo. Wash. L. Rev. 789 (1984); William Appel, The Fifth Circuit Navigates Between Scylla (*Higginbotham*) and Charybdis (*Gaudet*)—*Bodden v. American Offshore, Inc.*, 7 Mar. Law. 119 (1982).

34. Sorry, but to me everything is a vague sexual reference.

35. Michael J. Friedman, Wrestling the Giant Squid: The Independence of the Duty of Fair Representation Claim, 36 Wayne L. Rev. 1237 (1990).

Rapids.”<sup>36</sup> A little sex never hurt:<sup>37</sup> something like “Alternative Means of Reproduction: Virgin Territory for Legislation”<sup>38</sup> or “Aural Sex: Has Congress Gone Too Far by Going All the Way with Dial-A-Porn?”<sup>39</sup> Among other things, such a title could win you one of the two highly coveted awards for outstanding titles.<sup>40</sup> No financial benefits accompany such an award, but it’s a citation, which increases the value of your article.

### C. Roadmap

The roadmap is a detailed description of what you’re going to say. It appears at the beginning of the article so that readers can read the roadmap and not have to read all the nonsense in the article itself. Almost every law review requires that your article contain a roadmap. If you don’t include one, the law review editors will add it themselves. You can find examples of roadmaps by looking at any issue of any law review. For those who don’t have the energy to do so, I offer the following roadmap as an example. This is how William Shakespeare would have begun *Romeo and Juliet* if he’d published it in a law review:

This play has a prologue and five acts. It lasts for approximately two hours. In the Prologue, the author sets the stage and introduces the play in general terms. Act I of the play has five scenes. Act I introduces the main characters and provides some of the factual details necessary to an understanding of later acts. In Scene 1, the play discusses a fight between the Montague and Capulet families. The Prince breaks up the fight,<sup>41</sup> after which Romeo enters and announces in some detail that he is in love with a woman, but he never identifies her. In Scene 2, Romeo is mistakenly invited to a party at Capulet’s house. In Scene 3, the play introduces the reader to Juliet and a very wordy nurse . . . .

36. Christian Day et al., *Riding the Rapids: Financing the Leveraged Transaction Without Getting Wet*, 41 Syracuse L. Rev. 661 (1990).

37. Unless you like it to hurt.

38. Kathryn Venturatos Lorio, *Alternative Means of Reproduction: Virgin Territory for Legislation*, 44 La. L. Rev. 1641 (1984).

39. Heidi Skuba Maratz, *Aural Sex: Has Congress Gone Too Far by Going All the Way with Dial-A-Porn?* 11 Hastings Comm. & Ent. L.J. 493 (1989). Not tonight, dear. I have an earache.

40. Editor, must we do this? Oh, well: See Donald J. Dunn, *The Best of the Bad: The Dunn-In Awards*, 6 Law Libr. New Eng. News 16 (1985); Donald J. Dunn, *The Best of the Bad: The Second Annual Dunn-In Awards*, 7 Law Libr. New Eng. News 24 (1986) 24; Donald J. Dunn, *The Best of the Bad: The Third Annual Dunn-In Awards*, 8 Law Libr. New Eng. News 121 (1987); Donald J. Dunn, *The Best of the Bad: The Fourth Annual Dunn-In Awards*, 9 Law Libr. New Eng. News 100 (1988); Donald J. Dunn, *The Best of the Bad: The Fifth Annual Dunn-In Awards*, 10 Law Libr. New Eng. News 95 (1989); Donald J. Dunn, *The Best of the Bad: The Sixth Annual Dunn-In Awards*, 12 Law Libr. New Eng. News 36 (1991); Donald J. Dunn, *The Best of the Bad: The Seventh Annual Dunn-In Awards*, 12 Law Libr. New Eng. News 116 (1991); Donald J. Dunn, *The Best of the Bad: The Eighth Annual Dunn-In Awards*, 13 Law Libr. New Eng. News 112 (1992); Richard B. Cappalli, *The 1990 Rose Awards: The Good, the Bad, and the Ugly—Titles for Law Review Articles*, 41 J. Legal Educ. 485 (1991).

41. Excuse me. I was overcome by Shakespeare’s story and forgot I was writing in a law review. I should have written, “A fight was broken up by the Prince.”

You get the idea. If you're really accomplished, the roadmap can become longer than the rest of the article.

#### D. Pomposity

Plain, clear, understandable writing is inappropriate in a law review article. It indicates to the editor that you don't understand the subtleties of legal analysis. More complex, jargon-filled prose shows the editor that you are a thoughtful, well-informed expert. Who would trust a doctor who said simply, "Aspirin won't help"? We're more certain that our doctor is qualified when she says, "Acetylsalicylic acid<sup>42</sup> is contraindicated." "It is as easy to talk nonsense in Latin as in one's native tongue,"<sup>43</sup> but a law review is much more likely to publish the nonsense if it's in Latin or some other incomprehensible language.<sup>44</sup> Not coincidentally, such language keeps the editor (and every other reader<sup>45</sup>) from fully understanding what you're saying. This is good, because most law review articles contain very little worth saying; the less you're understood, the better.<sup>46</sup>

W. S. Gilbert put it best in the opera *Patience*.<sup>47</sup>

If you're anxious for to shine in the high aesthetic line  
as a man of culture rare,  
You must get up all the germs of the transcendental terms,  
and plant them everywhere.  
You must lie upon the daisies and discourse in novel phrases  
of your complicated state of mind,  
The meaning doesn't matter if it's only idle chatter  
of a transcendental kind.  
And everyone will say,  
As you walk your mystic way,  
"If this young man expresses himself in terms too deep for me,  
Why, what a singularly deep young man this deep young man must be!"<sup>48</sup>

42.  $\text{CH}_3\text{COOC}_6\text{H}_4\text{COOH}$ . Of course you already knew that.

43. Miguel de Cervantes, *The Dialogue of the Dogs* (1613), in *Six Exemplary Novels*, trans. Harriet de Onís, 1, 20 (Great Neck, N.Y., 1961).

44. Such as Texan.

45. Do you really expect readers? If so, perhaps you should publish somewhere other than in a law review.

46. As Charles Fried reportedly observed, "Some arguments are so flawed that the only way to present them is to wrap them up in fuzz and throw them over the wall when no one is looking." Address by Charles Fried, Brigham Young University Law School Graduation (Apr. 22, 1988), discussed in James D. Gordon III, *Law Review and the Modern Mind*, 33 *Ariz. L. Rev.* 265, 269 (1991). Harvard Yard must be full of fuzz.

47. As you undoubtedly suspect, I stole this cite from someone else. Does this article read like it was written by someone who knows opera, even comic opera?

48. W. S. Gilbert, *Am I Alone and Unobserved?* in *Patience*, ed. Edmond W. Rickett, 52 (New York, 1950). Any application of this verse to a legal movement that goes by its initials is purely intentional. See *infra* text immediately following note 48.



*E. Something for the Critical Legal Studies People*

Every law review article should offer something for adherents of the critical legal studies position, because they think they're important. Two obvious possibilities present themselves. First, since the CLS people think that all language is indeterminate, you could simply provide them with a large blank space, into which they could read their own cultural biases and predispositions, as follows:

This is not the preferred strategy. It is of more value than traditional CLS analysis, but law reviews do not like large blank spaces. Law review editors assume, usually erroneously, that text has greater substantive value than blank spaces. It is also difficult to create a blank space large enough to accommodate the opinions of the typical CLS adherent. The preferred strategy is to write a paragraph that reads like something a CLS proponent would write. This is difficult, particularly for those who know how to think and write clearly. To help you, I have constructed the following all-purpose paragraph:

The hermeneutical objection to synecology is its hegemonistic epistemology. Deviationistic doctrine is transformative, rather than objectivistic, revisionary rather than establishmentarian, Mickey rather than Mouse. Trashing formalism objectifies the dishabille of pudency, as the puccoon exudes its erythrocytes. Never is it not for naught unless it was not

nonexistent. *Un sot savant est sot plus qu'un sot ignorant.*<sup>49</sup> Eschew perturbation; be possessed of delectation.<sup>50</sup>

Since this paragraph has no meaning, it can fit into any article on any subject.<sup>51</sup>

### F. Narrative

You also need to include something to satisfy the radical feminists.<sup>52</sup> Lately, it has come to be in vogue<sup>53</sup> for feminists to write law review articles in narrative form, telling a story about the writer's life rather than presenting a rational, objective argument. Those articles usually begin something like this:

When I woke up on July 7, I felt woozy. I staggered to the refrigerator, opened the door, and realized the problem. The milk! Why did I have to live in this godawful, f---ed<sup>54</sup> up world? Andrea and Catharine wouldn't put up with it and, sisters, I won't either. No more phallic quart containers for me. It was time to write.

If you haven't written narrative before, don't worry. Narrative is easy. Just buy a dictating machine, dictate every thought you have after you wake up in the morning, and you should have a complete article by afternoon.<sup>55</sup>

### G. Law and Economics

Your article must also include something that the law-and-economics types on your faculty will like. Don't fret. I am a qualified law-and-economics person,<sup>56</sup> and I will provide you with not one, but two genuine Chicago-school-approved items you can include in your article.

First, you need a prisoner's dilemma. It's the only economics or game theory that most law professors and law students know, and therefore they think that every policy issue in the world involves a prisoner's dilemma.<sup>57</sup> You don't have to know much about prisoners' dilemmas, because they're really

49. Molière, *Les Femmes savantes*, act 4, sc. 3 (1672), *quoted in* The Oxford Dictionary of Quotations, 4th ed., 353 (New York, 1992).

50. With apologies to Bobby McFerrin.

51. The lack of meaning will not affect your standing with the CLS adherents; nothing they write has any obvious meaning.

52. I wouldn't dare touch this line.

53. See Madonna.

54. If you're a radical feminist, you do not need the ---'s; feel free to spell out the word and not be bound by the hierarchical male social convention. If you're a male, the very use of this word in discourse, even with the ---'s, is an obvious attempt at sexual harassment.

55. "What is written without effort . . . is in general read without pleasure." Samuel Johnson, *quoted in* 2 Johnsonian Miscellanies, ed. Birbeck Hill, 309 (1897).

56. I have met Ronald Coase, Richard Posner, and Henry Manne in person. I once passed Robert Reich on the stairs, but it was a very short encounter.

57. This illustrates Bradford's Rule of Theoretical Models: the issue a law professor is discussing always fits the latest theoretical model the law professor has studied.

easy to create. Just draw a rectangle and divide it into four equal rectangles. Put some numbers into each of the boxes, as shown in Figure 1. You now have a full-fledged prisoner's dilemma.

		B	
A		(15, 15)	(0, 20)
		(20, 0)	(0, 0)

*Figure 1*

Once you've created a prisoner's dilemma, you can forget about it. You've justified whatever type of regulation you want to propose, and economics is no longer a problem.<sup>58</sup>

Second, no article can survive law-and-economics review without a cute graph or diagram. It impresses student editors, almost none of whom majored in math or the hard sciences,<sup>59</sup> and it lends an air of scientific objectivity to your work.<sup>60</sup> To help those of you who aren't creative enough to create your own graph or diagram, I will provide you with two that should serve just about any purpose.<sup>61</sup>

58. After all, if you were a libertarian and opposed to regulation, you wouldn't be teaching at most American law schools and you certainly wouldn't be drawing prisoner's dilemmas.

59. Most law students majored in political science, one of the easier sciences. Law schools and political science departments have a symbiotic relationship. The sole purpose of undergraduate political science departments is to provide students for law schools. The sole purpose of law schools is to give undergraduate political science majors somewhere to go.

60. This assumes, of course, that the person reading the article did not major in math or the hard sciences. But that shouldn't be a problem. See *supra* note 45.

61. For another excellent example, see Kenneth Lasson, *Scholarship Amok: Excesses in the Pursuit of Truth and Tenure*, 103 Harv. L. Rev. 926, 938 n.60 (1990).

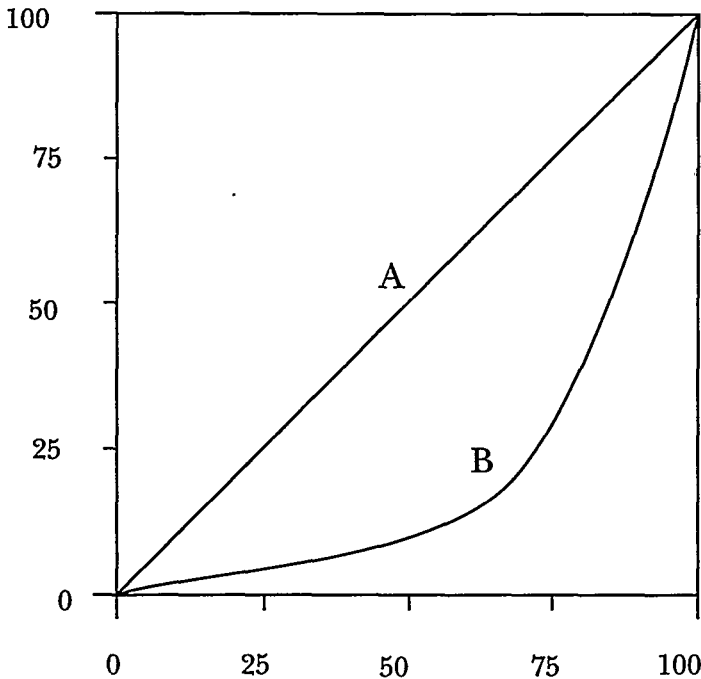


Figure 2

Figure 2 is, as you undoubtedly know, a Lorenz curve. The curve labeled B is a representation of cumulative income distribution during the Reagan administration. The straight line labeled A is a representation of cumulative income distribution under the Clinton long-range economic plan.<sup>62</sup> But that shouldn't limit you; the diagram is pretty enough and vague enough to represent just about anything. If you want to be original and daring, change the A and B labels to S and M.

Figure 3 should particularly excite<sup>63</sup> anyone on your faculty who is a law-and-economics type because it involves both a shifting demand curve and consumer surplus triangles.<sup>64</sup> The lines can represent just about anything you

62. This is an inside joke directed to those conversant in economics. I apologize if you don't understand it, but I had to give those people something. They didn't understand any of the other jokes.

63. Perhaps you think *excite* is too strong a word. If so, you haven't been in contact with too many law-and-economics types. If you don't believe me, watch their eyes when you mention Giffen's Paradox.

George Bernard Shaw once said that "[i]f all economists were laid end to end, they would not reach a conclusion." Quoted in *The Portable Curmudgeon*, *supra* note 18, at 89. That may be true, but it certainly would be the most exciting thing that many of them ever did.

64. For those of you without an economics background, consumer surplus is like army surplus, except it's generated by consumers. It's the stuff you buy when you go to Goodwill—items that consumers no longer need.

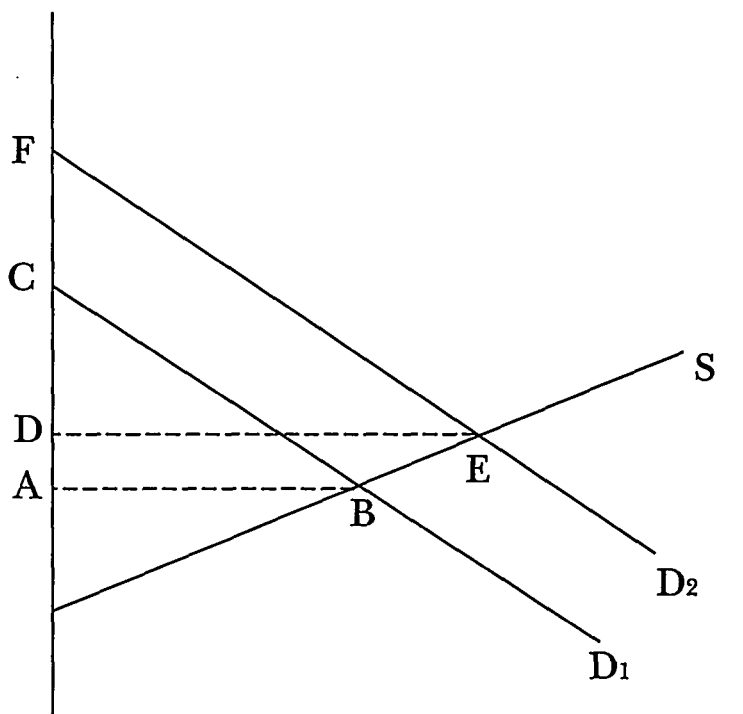


Figure 3

want them to. Just say in the text of the article that your proposal is obviously correct because your triangle, Triangle DEF, is larger than your opponents' triangle, Triangle ABC. In triangles, as in basketball, the big guy always wins.

#### H. Impressive Footnotes

As every law review editor knows, footnotes are the most important part of the article. An article without footnotes is like a footnoteless article. Don't make what is known in the legal community as the "Mikva Mistake." Judge Abner J. Mikva, a noted federal jurist, once wrote an article without footnotes<sup>65</sup> and, as a result, never made it to the Supreme Court.<sup>66</sup> If you want to be successful, good footnotes are a must.

The substantive content of your footnotes is irrelevant. What's important is the style. Footnotes in your article must conform to one of three styles. In most

65. Goodbye to Footnotes, 56 U. Colo. L. Rev. 647 (1985). Actually, his article contained one footnote, numbered 4. *Id.* at 653 n.4.

66. Can you imagine Judge Mikva trying to write the *Carolene Products* case? See Aside: Don't Cry over Filled Milk: The Neglected Footnote Three to *Carolene Products*, 136 U. Pa. L. Rev. 1553, 1553-54 n.3 (1988) (citing more than 40 authorities discussing the importance of footnote 4 in *Carolene Products*).

law reviews, your footnotes must be in the style found in the Bluebook.<sup>67</sup> If your article is to appear in the *University of Chicago Law Review*, your footnotes must be in the style found in the Maroon Book. If your article is to appear in the *Journal of Critical Legal Studies*, your footnotes must follow the style found in the Little Red Book. If you follow these stylistic rules religiously,<sup>68</sup> you end up with footnotes like this:

*Toyota, supra* (available on LEXIS). *Accord, Honda*.<sup>69</sup>

After years of submitting articles to law reviews and reviewing their editing of my work, I have discovered that everything in the Bluebook can be boiled down to one simple rule: *The way you cited it is wrong*. Once you discover this simple wisdom, you can quit worrying about footnotes. If the editors are going to change it anyway, why bother? Be creative. It's easier on you, and it allows the junior student editors checking your work to feel superior.<sup>70</sup>

### I. Self-Citation

No real scholar would write an article which did not cite at least one of his own articles. The assumption is that articles which are cited are more impor-

67. The Bluebook: A Uniform System of Citation, 15th ed. (Cambridge, Mass., 1991). The Bluebook has sometimes received less than kind reviews. Richard Posner, for example, wrote:

Anthropologists use the word "hypertrophy" to describe the tendency of human beings to mindless elaboration of social practices. The pyramids in Egypt are the hypertrophy of burial. The hypertrophy of law is *A Uniform System of Citation* . . . .

Goodbye to the Bluebook, 53 U. Chi. L. Rev. 1343, 1343 (1986). [Judge Posner has now forsaken anthropology to become a world-renowned expert on sex. See Sex and Reason (Cambridge, Mass., 1992).]

As James Gordon later wrote,

A citation system should be based on three principles: (1) sources should be easily identifiable; (2) citations should be consistent enough to permit immediate comprehension; and (3) the system should not be cumbersome to use. Somewhere along the line, the *Bluebook's* editors lost sight of these principles and adopted two others: (1) Nature abhorreth a vacuum; and (2) anything worth doing is worth overdoing.

James D. Gordon III, Oh No! A New Bluebook! 90 Mich. L. Rev. 1698, 1702-03 (1992) (footnote omitted). [Yes, a single set of law review editors actually publish more than 1,700 pages a year, but they cheat by publishing letters to the editor, much like your local newspaper, *Penthouse*, and other well-known repositories of legal erudition.]

68. AND YOU MUST! As Alan Strasser has pointed out, the Bluebook

champions *technical due process*. According to this doctrine, it does not matter who wrote the article; it does not matter how he wrote it. It does not matter what the article says; it does not matter that it says nothing at all. The doctrine of technical due process maintains that *if the footnotes are wrong, the article is worthless*.

Alan Strasser, Book Review, 12 Harv. C.R.-C.L. L. Rev. 507, 509 (1977). We should therefore be thankful for law review editors, for they turn worthless articles into valuable articles.

69. If you don't think this is a real footnote, check it on the LEXIS Autocite system.

70. [Note to junior student editors: Please skip this footnote; it contains no citations.] .....  
..... Now that they're gone, I can point out that junior student editors seldom get an opportunity to feel superior.

tant than those which are not. If you cite yourself, you have increased your importance.<sup>71</sup>

### *J. Vetting*

Vetting is a relatively recent practice of acknowledging everyone who read your article before its publication, no matter how ridiculous their suggestions.<sup>72</sup> Among other things, vetting is a way of signaling to law review editors that your article is high quality. You do this by listing several well-known experts in the field who may or may not have had anything to do with your article. The student editors see these easily recognized names, and make two assumptions: (1) the author must himself be an expert to have such well-known friends; and (2) the article must be good if these other experts bothered to read and comment on it before publication. In reality, (1) the well-known experts probably have no idea who the author is; and (2) the assistance they provided may have been no more than an offhand remark at an AALS cocktail party (or nothing at all). Don't worry if you don't know any well-known experts. Acknowledge them anyway.<sup>73</sup> Do you really think a student law review editor is going to contact the well-known expert to check? One way professors become well-known experts is by refusing to deal with students. If you're really worried that you'll be caught, use a noted author who doesn't speak English.<sup>74</sup> If your conscience really won't let you do this (in other words,

71. See Steve Bradford, Letter to Mom (June 15, 1969) (discussing summer camp); Steve Bradford, Egypt (Richardson, Texas, 1968) (sixth-grade research project); C. Steven Bradford, I'm Worth More Than What the Dean Is Paying Me, unpublished random thoughts in the shower (Lincoln, 1987-94).

See also C. Steven Bradford, What Happens if *Roe* Is Overruled? Extraterritorial Regulation of Abortion by the States, 35 Ariz. L. Rev. 87 (1993); C. Steven Bradford, Ten Reasons to Attend Law School, 1993 B.Y.U. L. Rev. 921; C. Steven Bradford, The Gettysburg Address as Written by Law Students Taking an Exam, 86 Nw. U. L. Rev. 1094 (1992) [hereinafter Bradford, Gettysburg Address]; C. Steven Bradford, Rule 144A and Integration, 20 Sec. Reg. L.J. 37 (1992); Steven Bradford, Conflict of Laws and the Attorney-Client Privilege: A Territorial Solution, 52 U. Pitt. L. Rev. 909 (1991); C. Steven Bradford, The Possible Future of Private Rights of Action for Proxy Fraud: The Parallel Between *Borak* and *Wilko*, 70 Neb. L. Rev. 306 (1991); C. Steven Bradford, Duties of Directors and Majority Shareholders, in Counseling the Closely Held Corporation (Feb. 22, 1991); C. Steven Bradford, Following Dead Precedent: The Supreme Court's Ill-Advised Rejection of Anticipatory Overruling, 59 Fordham L. Rev. 39 (1990); C. Steven Bradford, Stamping Shareholders and Other Myths: Target Shareholders and Hostile Tender Offers, 15 J. Corp. L. 417 (1990) [hereinafter Bradford, Stamping Shareholders]; C. Steven Bradford, The Nebraska Shareholders' Protection Act: Economic Protectionism, in Outlook '89: Issues and Perspectives, ed. C. W. Bowmaster (6th Annual Midwest Conference on Business, May 25, 1989); C. Steven Bradford, Protecting Shareholders from Themselves? A Policy and Constitutional Review of a State Takeover Statute, 67 Neb. L. Rev. 459 (1988) [hereinafter collectively referred to as Great Wisdom].

Here's a little treat for those of you who made it this far:

#### FULL FRONTAL NUDITY

72. This reminds me that I should thank Jim Gordon and my colleagues John Lenich and Bill Lyons for commenting on this article.

73. I want to thank Richard Posner, Duncan Kennedy, and Gerald Gunther for their contributions to this portion of the text.

74. Any noted critical legal studies scholar will do.

if you've never practiced law), use my name. I'm not a well-known expert, but anything is better than nothing. For a small fee, I'll even tell the editor if she calls that I consider your article one of the best ever.

### K. Names of Family and Friends

One of the benefits of publishing in law reviews is that it lets your family and friends know that you're finally somebody (unless they're lawyers and already know that anyone can publish law review articles and nobody ever reads them). And what better way to impress them than by sneaking their names into the article? The easiest way is to acknowledge their help, love, forbearance, or whatever in your vetting footnote.<sup>75</sup> It won't impress the law review editors<sup>76</sup> but it might impress your friends and family. And who would you rather impress, some egotistical law review editor that you'll never hear from again or the people you have to see and depend on every day?

The vetting footnote is not the only place you can boost the egos of your family and friends. It's even more impressive if you can sneak their names into supposedly substantive footnotes.<sup>77</sup> The advantage of that is you don't have to acknowledge that you've benefited from their love, help, and/or forbearance if you really haven't. You can publish their names without giving them any credit for your own work.

### III. The Submission Process

You have now written your law review article. You are probably sitting back with your feet propped up on your desk, full of pride at your accomplishment. Put your feet on the floor, sit up, and listen!<sup>78</sup> You're about to make the mistake that many novice authors make, the mistake that cost Professor Lex Apostata his fame.

Who is Professor Apostata, you ask?<sup>79</sup> In 1984, Professor Apostata, a young untenured assistant professor, wrote the seminal article on American law.<sup>80</sup> Apostata's revolutionary article cogently synthesized all previous legal theory<sup>81</sup>

75. E.g., Bradford, Gettysburg Address, *supra* note 71, at 1094 n.\* (blaming my parents for the contents of the article). Cf. also *supra* text accompanying note 71.

76. Unless, of course, your family and friends are distinguished, well-known experts, in which case you've really got it made.

77. E.g., Bradford, Gettysburg Address, *supra* note 71, at 1095 n.6 (containing my wife's name); Bradford, Stampeding Shareholders, *supra* note 71, at 464 n.320 (containing the first names of all my children including, thanks to a fortunate delay in publication, the youngest). Cf. also *supra* text accompanying note 71.

Unfortunately, I've run out of family members. If you'd like to be mentioned favorably in one of my footnotes, please send me \$25 in cash and a written note stating which footnote number you'd prefer.

78. And get that look off your face! [Sorry, this sounded so much like my mother that I got carried away.]

79. I'm glad you asked that, or I wouldn't have known what to write next.

80. Not to be confused with Apostata's article on American seminal law, which appeared in the *Journal of Reproductive Freedom*.

81. Except for conflicts-of-law theory. He tried, but finally gave up on conflicts.



into a logical, coherent, universal theory that everyone could accept, regardless of ideology. But you've probably never heard of Apostata's paradigm-shifting theory. That's because Professor Apostata was so impressed with himself that he forgot to publish the article.<sup>82</sup> It sat on his hard disk for three years, until he inadvertently erased it while playing Pac-Man. When he realized what had happened, Apostata became mad;<sup>83</sup> he now teaches at Yale. Unfortunately, Professor Apostata has completely forgotten his revolutionary theory.

You must not repeat Lex Apostata's mistake. Generally, to be published you must submit your article to a law review; you cannot leave the article on your hard disk. Only the lesser law reviews invade law professors' hard disks looking for articles;<sup>84</sup> the better reviews require you to mail the article to them.

#### A. *Submission Strategy*

Most successful law professors are unwilling to share with the uninitiated the secrets to successful publishing. One of your rewards for reading this article is that you'll learn the secret submission strategy that every experienced law professor uses to get his article published. Are you ready? *Make 250 copies of your article and send one copy to each American law review.* This strategy is known as multiple submission. If your article is so bad that the odds of its being published are very low, the only way to increase those odds is to send it to as many places as possible.<sup>85</sup> Sending your article to this many law reviews has an added advantage: you receive lots of mail. Each law review sends you a postcard, form letter, or handwritten note letting you know they received your article and will be in touch some time before the next approach of Halley's Comet.<sup>86</sup> Your colleagues will be impressed as they see your mailbox fill every day.<sup>87</sup>

82. Given its substantive merit, it would have been difficult, but probably not impossible, for Professor Apostata to publish his article in a law review.

83. Not just angry, but MAD.

84. It is rumored that one ambitious law review editor snuck onto Richard Posner's hard disk, got lost in the voluminous text, and has never been heard from since. Judge Posner was unconcerned. The expected benefit to the editor of finding an article must have exceeded the expected cost of getting lost. To expend resources ex post trying to find him would reduce the private, but not the social, expected cost of sneaking onto others' hard disks and thereby encourage inefficient behavior in the future.

85. For example, if the probability that any one law review will accept your article is .01, and you send it to 250 law reviews, the probability that it will be accepted is  $1 - (.99)^{250}$ , which I could figure out if I could find my calculator. Actually, this formula works only if the probabilities of being accepted at each law review are independent, but I can't remember what that means, so you can safely ignore it.

86. Actually, not every law review sends such an acknowledgment. For reasons known only to its editors, one law review that shall remain nameless (because I might someday receive an offer from them) almost never acknowledges the submission of my articles.

87. They would be more impressed if your mailbox did not fill, because they know that the only important communication with law reviews, the offer of publication, comes in a telephone conversation.

*B. Dealing with the Initial Offer*

If you, like the millions of other people who publish in law reviews each year, are lucky, you will eventually receive a telephone call from a law review editor offering to publish your article. When this call comes, you must be prepared with several important questions:

1. *Do you pay for the use of my article?* Get serious. These are law reviews, not real publications.<sup>88</sup> Your reward for publishing is the knowledge that you've contributed to the debate on an important legal issue.<sup>89</sup>

2. *When do you plan to publish my article?* You'd like your article to be published as soon as possible, so that no one else beats you to the point. You never know when some other scholar might be doing an identical economic analysis of the law of yak herding. You can ask about the publication date in two ways. First, you could ask, "What issue of your review do you plan to publish this in?"<sup>90</sup> You will be surprised at the early date given. You will be even more surprised when the article is actually published five years later than that date. The problem is that most law reviews are at least two years behind schedule. If you're talking to them in July 1994, for example, they probably just published the Fall 1992 issue. When they say your article will be in the Fall 1994 issue, you can expect at least a two-year wait. To avoid this problem, you must ask the question differently: "When do you expect this issue to go to press?" Then they will lie to you. You still won't know when the article will actually be published, but at least they know you're not stupid.

3. *How much do you plan to rip my article to shreds before you publish it?* Two things can happen to your article once the editing process begins. One is that the editors will ruin it with stupid editing changes. The other is that all the editors will die and the article will be published without editing. These are the only two possibilities. It is, therefore, imperative that you find out if they're already planning major changes to the structure of the article. They will, of course, lie and say that they love the article exactly the way it is, but at least they know you're not stupid.

4. *Will I have final editorial control?* You want to know if you can refuse to make any editing changes the editors suggest. By exercising such control, you can keep the article from becoming worse than it otherwise might be. The editors will, of course, lie and say that no changes will be

88. Law reviews confirm Samuel Johnson's statement that "[n]o man but a blockhead ever wrote, except for money." *Quoted in* James Boswell, *Life of Samuel Johnson*, ed. Herbert Vaughan Abbott, 272 (Chicago, 1923).

89. Like how to write law review articles.

90. I know I ended this sentence with a preposition, but this is a phone conversation I'm describing. I suppose you never violate rules of grammar in phone conversations?

made without your consent, but, once again, at least they know you're not stupid.<sup>91</sup>

5. *When do you need to know by?*<sup>92</sup> This is the most important question, because of what you're going to do when you get off the phone.<sup>93</sup> How long are they going to leave this offer open before they dump your article and go to the next piece of trash on their list? When you ask this question, the answer inevitably will be some short period, like one week, five days, or 6.2 hours. But they will let you know they're not serious by saying it might be possible to give you an extension. That's your clue to ignore the deadline. If they're really serious, they'll call back when they run out of patience.

### *C. After the Initial Offer*

When you receive the initial offer, you should tell the editor who calls you how wonderful and important you consider his/her/its journal.<sup>94</sup> The editor will respond by telling you how wonderful and important he/she/it considers your article.<sup>95</sup> Once this ridiculously false cross-flattery is concluded and you've hung up the phone, you should begin desperately searching for a journal higher on your list so you're not stuck with the poor-quality journal that called you first.<sup>96</sup> Pull out your list of 250 reviews, strike all those which already rejected you, strike all those worse than the one which made the offer, and begin calling the articles editors at every other review on your list.<sup>97</sup> The key here is to bluff: make them think that the offer you have in hand is from a top-ten law review which is desperate to have you, and theirs is the only other review you would possibly consider. This bluffing is easy because you will invariably be speaking to an answering machine. After several years of publish-

91. They're not stupid either. They know that, six months into the editing process, you're unlikely to take your article and resubmit it to all the other law reviews. They have you over a barrel, and, though you can argue against the most stupid changes, your article is going to read however they say it's going to read.
92. Yet another preposition to end a sentence with. The author is obviously not very refined. But you should have known that long before you reached this part of the article.
93. See *infra* text accompanying notes 94–98.
94. "The class of its field" is a phrase that I've always found handy, particularly if the field is left undefined.
95. "One of the best of its genre" is a phrase that editors always find handy, particularly if the genre is left unspecified.
96. To paraphrase the old Groucho Marx line, do you really want to publish in a law review that wants your work? [To all editors considering making offers to publish my articles: Just kidding, of course!]
97. If the first offer is from the law review you rank the highest, you can omit this step entirely. This means that one of two things is true: (1) your article is so good that you're smart enough not to have begun reading this article; or (2) if you're still reading at this point, your ranking of law reviews is suspect. The fact that you went to the Northwestern Nebraska State Community College of Law and Applied Cultivation does not mean that its *Journal of North American Dog and Cat Law* is necessarily the best law review in the country. (Everyone knows that the best journal in the country is the *Journal of Legal Education*, which, coincidentally, published this article.)

ing in law reviews, I have discovered that no law review editors are ever at the law review offices.<sup>98</sup>

#### D. The Editing Process

After you've decided on a law review, you're ready to begin the editing process. You begin this process by sitting on your hands for six months, waiting to hear something, anything, from the law review indicating that they are preparing your article for a swift publication. Don't worry. Even though you are doing nothing, you can rest assured that the editors of the law review are diligently doing nothing as well.

Eventually, the law review editors will get to your article, and, after a delay of from six months to five years, you will receive via Federal Express<sup>99</sup> a parcel containing the edit of your article. You must do two things before opening this parcel: (1) buy a large bottle of Scotch and drink half of it,<sup>100</sup> and (2) lie down for a few minutes and take deep, relaxing breaths. You want to be as laid-back<sup>101</sup> and relaxed as possible when you examine what the editors have done to your valuable work.

Do not be disturbed by the editing suggestions you see before you, and refrain from offering the editors any noneditorial suggestions of your own. Remember that the formal function of an editor is to make critical suggestions designed to improve the quality of the author's writing. You'll have to remember this, because you'll see no evidence of that function as you read your edited article. Law review editing "does to the written word what the Cuisinart does to broccoli."<sup>102</sup> Law review editors generally<sup>103</sup> follow five simple editing rules. They are, in order of importance:

*Editing Rule No. 1: Eliminate all first- and second-person pronouns.*<sup>104</sup>

98. They're never in class either. Law reviews are the Bermuda Triangles of law schools. Law review editors disappear after their first year and reappear at graduation. No one is sure exactly where they go.

99. I have never understood why law review editors send everything by Federal Express. One would think that an author who waits six months for the editing to be completed could wait another four or five days to receive the edited article. Perhaps this practice dates back to the ancient days when law reviews were published on time. Perhaps, given the other delays, the editors feel that every little bit helps. Or perhaps the editors own Federal Express stock.

No matter how long the delay, the editors will tell you that they absolutely positively need your article back within one week. Therefore, be sure to send it back by Federal Express. You don't want to hold up the law review editors. And remember to buy some Federal Express stock.

100. I do not drink, so I am not speaking from actual experience. This comment is in the article to make the reader think that I am urbane, suave, and sophisticated, even though I am not.

101. To my younger readers: This is a sixties term, like *groovy*, *acid*, and *peace*.

102. David Margolick, *Law Journal Is Caught in Corporate Crossfire*, N.Y. Times, Sept. 24, 1984, at D1, D2. I've always felt that this comparison was unfair to chopped broccoli. Anything that George Bush won't touch can't be all bad.

103. See generally Colin Powell, Norman Schwarzkopf, and Dwight Eisenhower.

104. An "I" or a "me" is regarded as a rather shocking form of disrobing in print. To avoid nudity, the back-handed passive is almost obligatory:—"It is suggested—," "It is proposed—," "It would seem—." Whether the writers really suppose that such

*Editing Rule No. 2:* Make all active sentences passive.<sup>105</sup>

*Editing Rule No. 3:* Wherever there is a comma, remove it; wherever there is no comma, insert one.

*Editing Rule No. 4:* Wherever the word *which* appears, change it to *that*; wherever *that* appears, change it to *which*.<sup>106</sup>

*Editing Rule No. 5:* Wherever the word *since* appears, change it to *because*; wherever *because* appears, change it to *since*.

Once you understand these rules, you will understand what has been done to your article. Fortunately, the rules that you, the author, must follow are much simpler. Your participation in the editing process boils down to one simple rule:

*Law Professor's Editing Rule:* Change back everything the law review editors have done.

After all, you're the one being paid to write, not them. Do you trust what a law student has to say about writing?<sup>107</sup>

#### IV. What to Do After the Article Is Published

Eventually, the editing is completed, you've changed everything back, and the article is published. Now you're ready to sit back with a feeling of pride in a job well done. Wrong! As all successful law review authors know, you cannot just trust others to pick up your article and read it; you must actively promote it.

##### A. Reprints

The only tangible benefit from publishing in a law review is that you receive a limited number of free reprints of your article. You can do two things with these reprints. First, you can pile them in a corner of your office to give the mice something to gnaw on. Second, if you really don't like mice, you can mail the reprints to your family and friends.<sup>108</sup> They're delighted to see that someone they know is an author, and they will keep your reprint in their

constructions clothe them in anonymity so that people can not guess who is suggesting and who is proposing, I do not know. I do know that such forms frequently lead to the kind of sentence that looks as though it had been translated from the German by someone with a rather meager knowledge of English.

Fred Rodell, *Goodbye to Law Reviews*, 23 Va. L. Rev. 38, 39 (1936).

105. Excuse me. This should read, "All active sentences should be made passive."

106. As originally written, this sentence read, "Wherever the word *that* appears, change it to *which*; wherever *which* appears, change it to *that*." The editors forced me to change it.

"The careful writer, watchful for small conveniences, goes *which*-hunting, removes the defining *whiches*, and by so doing improves his work." William Strunk, Jr., & E. B. White, *The Elements of Style*, 3d ed., 59 (New York, 1979).

107. If your answer is yes, you must be so new to legal education that you have not yet graded exams or seminar papers.

108. This assumes, of course, that you like your family and friends even less than you like mice.

purses or briefcases to show to the local butcher, colleagues at work, the bag lady in the park, and anyone else they can corner.

The problem is that many law reviews send you fifty or more reprints and most law professors don't have that many family members.<sup>109</sup> What do you do with those extra reprints? You send them to leading scholars in the field, particularly those who have written treatises and casebooks. Their contracts with their publishers require them to accept reprints of every useless law review article even marginally related to the subject of their books.<sup>110</sup> If you're lucky, the eminent scholars to whom you send your article might cite you. If you're luckier, they might quote you.<sup>111</sup> If you're extremely lucky, they might invite you to be a coauthor.<sup>112</sup>

Unfortunately, if you write an article such as this one,<sup>113</sup> there are no appropriate treatise and casebook authors to send reprints to. In that case, mail your article to fifty people chosen at random from the AALS Directory.<sup>114</sup> Just be careful not to include a return address on the envelope, or you'll be the recipient of their own unwanted reprints. The system works much like a chain letter.

### B. Using WESTLAW and LEXIS

After the article is published and you have distributed your reprints, you want to find out if anyone is actually citing your article. One of the two great benefits of being a law professor is your free access to WESTLAW and LEXIS.<sup>115</sup> You can search for your name<sup>116</sup> and key words in your article's title to see if anyone is citing you. You never find anything, but at least you'll<sup>117</sup> improve your computerized legal research skills. If you're<sup>118</sup> really thorough, you'll also learn how to use Shepard's law review citator.<sup>119</sup>

109. Except, of course, for those at Brigham Young and Notre Dame.
110. This is a waste relocation program so that landfills in the areas with the most productive law review writers aren't overwhelmed.
111. And Duncan Kennedy *might* join the George Mason faculty, but don't hold your breath.
112. If this happens, decline. You don't want to be stuck reading everyone's useless reprints, do you?
113. As if anyone would repeat a debacle like this.
114. But not me.
115. The other great benefit of being a law professor is, of course, getting to grade exams. See C. Steven Bradford, *The Gettysburg Address as Written by Law Students Taking an Exam*, 86 Nw. U. L. Rev. 1094 (1992). [A cite! A cite! I got a cite!]
116. Among other things, you'll be amazed at how many criminals share your name. I constantly find cases with defendants named Bradford, and no more than half of those involve me or my relatives. [O.K., no more than 75 percent.]
117. This is a contraction, something that doesn't belong in formal legal writing. But since this writing is only semi-formal, it's acceptable.
118. This contraction and the last one are only about 30 seconds apart. Time to go to the hospital. [Those of you who have experienced the joys of natural childbirth know what I'm talking about. Those of you who haven't can obtain a similar experience by swallowing an elephant, then passing it, whole.]
119. This volume of Shepard's is not available on WESTLAW or LEXIS. They know that the only people who use it are law professors searching to see who cited their articles, and law professors aren't paying customers. Even the most dedicated crit could understand the economics.

V. Conclusion<sup>120</sup>

I've now given you everything you need to be a successful law review writer.<sup>121</sup> The rest is up to you. If I can publish, you can too.<sup>122</sup> I, too, was once an unworthy, unpublished neophyte and believed that I would never be able to successfully write and publish valuable contributions to the legal debate. I'm now an unworthy neophyte who has published over half a dozen law review articles<sup>123</sup> and I *know* I will never be able to successfully write and publish valuable contributions to the legal debate.<sup>124</sup> I wish each of you the same success I've been able to achieve by following the simple rules I've described above.<sup>125</sup> "'Tis pleasant, sure, to see one's name in print; / A Book's a Book, altho' there's nothing in't."<sup>126</sup>

*Editors' Note:* C. Steven Bradford is Associate Professor at the University of Nebraska College of Law.

120. A warning to the grammatically correct: The following paragraph of the text contains not one, but two split infinitives. If you wish to remain grammatically pure, you should skip the paragraph. I realize that split infinitives are unconventional, but I try to boldly go where no one has gone before.

121. Or, at least, everything I'm capable of giving you.

122. To generalize, if I can do anything, anyone can.

123. The odds were with me. See *supra* note 85. I sure wish I could find that calculator.

124. I blame my lack of notoriety on the readers. After all, "[a] book is a mirror: when a monkey looks in, no apostle can look out." Georg Christoph Lichtenberg, *quoted in* Lichtenberg: Aphorisms & Letters, trans. & eds. Franz Mautner & Henry Hatfield, 40 (London, 1969).

125. To be truly successful, you must take one additional step. Send a copy of this article to ten friends and send \$25 cash to the top five names on the following list:

Steve Bradford  
Steven Bradford  
C. Steven Bradford  
C. S. Bradford  
C. Bradford  
S. Bradford

126. English Bards, and Scotch Reviewers; A Satire, in Lord Byron: Selected Poems and Letters, ed. William H. Marshall, 8 (Boston, 1968). I finally found my calculator. For those of you waiting in suspense, the answer is .91894 (approximately). See *supra* notes 85 & 123. (So what happens to the other 8 percent?)